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Case Case 3	TV-VOV127ERCDAWGCCUOCULAGAL 514	d 10/23/3/98 /08ass 10531 of 113
0400 0.70	V 00121 KOO WOO Boodmont o 1	FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
1	-	COUNSELFANTIES OF NECOND
2	IN THE UNITED STATES DI	ISTRICT COURGE 23 COPY
3		CLERK US DISTRICT COURT
4	· II	DISTRICT OF NEVADA BY: DEPUTY
5		DI FOUTTY NO. C 125
, 6		IN EQUITY NO. C-125
7	1	SUBFILE NO. C-125-B
8		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	•
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	1 I hereby enter my appearance in this sub-	proceeding in this case
12		
13		ct Court at the following address.
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	Walter of Service of Render in Blow of
18	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice	a
20	Environment & Natural Resources Divisi P.O. Box 756	on
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the	Notice in Lieu of Summons.
25	If I (or the entity on whose behalf I am acting	g) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below,	along with his or her mailing address,
27	elephone number, facsimile number, and e-mail address:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE, page 1 of 2

Case 3:73:75 - 00127 - 605 - 6

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	inculonic Filling Troccdules (lev. Adg. 24, 2000) at i.e.
15	Devonica d'Rowley
16	(Signature)
17	(Signature)
18	Veronica A Rowley
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing) 3F FALCON WAY
24	YERINGTON NV 89447
25	(Address) 175 - Z30 - 4428
26	
27	(Telephone number)

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Robert & Ronnie Rowley 38 Falcon Way Yerington NV 89447-9409

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1.		FILED RECEIVED
		COUNSEL/PARTIES OF RECORD
1		1 1
2	IN THE UNITED STATES D FOR THE DISTRICT (THE VALUA
3	UNITED STATES OF AMERICA,	CLERY US DISTRICT COURT DISTRICT OF MENU.
4	Plaintiff,	BY DISTRICT COURT BY DISTRICT OF MEVADA DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	VS.) }
8	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	} }
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	I hereby enter my appearance in this sub-	p-proceeding in this case.
12	2. I am filing this document with the Distr	
13	Chief Deputy Clerk	••••••••••••••••••••••••••••••••••••••
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division	
20	P.O. Box 756 Littleton, Colorado 80160	SIOH
21	· ·	ing) will retain all defenses or objections
•	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection of the lawsuit or to the jurisdiction or venue of the court except for objections based on a defense of the court except for objections of the c	
	n the Notice in Lieu of Summons or in the service of the	
25	5. If I (or the entity on whose behalf I am acti	
	ne in these proceedings, I identify that attorney below	
27	elephone number, facsimile number, and e-mail addres	
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	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2

1	Attorney:
2	
3	Address:
4	
5	······································
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
١٥	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
.1	1 .: 44- the her of this court, admitted to participate in a case pro
.2	hac vice, or who are authorized to represent the officer states and to again the hac vice, or who are authorized to represent the officer states and to again the form prescribed by the
L3	register as Filing Users of the System. Registration shall be in the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	0 11
15	Longe Loycey
16	(Signature)
17	
18	GEORGE KOYCE JR
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose behalf you are appearing)
23	151 Usper Colony Rd.
24	Wellington, Nr. 89444
25	(Address) ³ 775 901 1579
26	(Telephone number)
27	

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30.JUL 2008 PM 2 L ROMO NV 805

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 7 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Unn Ruben	
Date: 10-11-08	Signature Ann Buben	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 8 of 113

1		STRICT COURT COURT	
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT S STREET STREET	
3	UNITED STATES OF AMERICA,)		
4) Plaintiff,)	A 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
6) Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8	(
9	WALKER RIVER IRRIGATION DISTRICT,) corporation, et al.,)		
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this sub-	proceeding in this case	
12		•	
13	2. I am filing this document with the Distric	a Court at the following address:	
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:		
18	Susan L. Schneider		
19	Attorney for the United States of Americ United States Department of Justice		
20	Environment & Natural Resources Divisi P.O. Box 756	on	
21	Littleton, Colorado 80160	. $oldsymbol{v}_{i}$	
22	4. I (or the entity on whose behalf I am actin	ng) will retain all defenses or objections	
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	n the Notice in Lieu of Summons or in the service of the	e Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am actin	g) have retained an attorney to represent	
26	me in these proceedings. I identify that attorney below.	along with his or her mailing address,	

27 elephone number, facsimile number, and e-mail address:

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 9 of 113 Attorney: 1 2 ' Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 ann Ruben 15 16 (Signature) 17 Ann Buben 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 25 (Address) 26 (Telephone number)

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 10 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons

Date: 9-30-08

Signature
Keith Ruben

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-CE -00127-RCJ-WGC Document 5 Filed 12/31/08 Page 11 of 113 ENV. B.NAT. RES. DIV. DENVER. CO IN THE UNITED STATES DISTROSTICT OF NEVADA 3 JNITED STATES OF AMERICA, Plaintiff, 5

a corporation, et al.,

- 1. I hereby enter my appearance in this sub-proceeding in this case.
- 2. I am filing this document with the District Court at the following address:

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

Summons, I am mailing a copy of this document to:

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

VALKER RIVER IRRIGATION DISTRICT,

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VS.

Susan L. Schneider Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160

- 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections of the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
- 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, facsimile number, and e-mail address:

28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 12 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 (Address) 25 26

27

28

(Telephone number)

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 13 of 113

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Date: 5/30/08

Signature

Norman 1. Ruhl

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

The Norman and Vivian Ruhl Living Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 14 of 113

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Date: <u>5 - 30 - 200</u> 8	Signature Avita D. Rvic Printed/Typed Name	
	If you are acting on behalf of any entity, identify tha	it you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 15 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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as & &9784	evoo122=Earchwideoineelfah	ent 5 4 160 1293 1/08 Page 16 of 1
		Inclosed are the Accuments for myself and must deceased husband Tay C. Ruic
1	Attorney:	documents for
2		muself and mes
3	Address:	deceased husband
4		T C Ruic
5		Vay C.)
6	Phone Number:	
7	Fax Number:	
8	E-mail Address:	<u>:</u> <u></u> -
9		
10	PLEASE NOTE: Attorneys are remedelectronic filing procedures of the U.S.	inded that they are required to comply with the 5. District Court for District of Nevada.
. 11	"A warman who are admitted to the ha	r of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to r	epresent the United States and its agencies, shall be in the form prescribed by the
13	Clerk of the Court and by these Elect Electronic Filing Procedures (rev. Au	ronic filling flocedules. U.S. Dist. Ct., D. 13013
14		
15		anto D. Quic
16		(Signature)
17		
18		Avita D. Ruic
19		(Printed or typed Name)
20		
- 21	FILED RECEIVED SERVED ON	
22	COUNSEL/PARTIES OF RECORD	(Entity, if any, on whose
23	JUN - 2 2008	behalf you are appearing)
24		
25	CLERK US DISTRICT COURT DISTRICT OF NEVADA BY:	(Address)
26	DI. DEPORT	(Telephone number)
27		(reseptions number)

Case 9:737 v 00127 F- RCD-W GC Worth 1340 nt 51 F1 166/02/29/31/08 Page 17 of 113

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8	E-mail Address:	
9		
10	PLEASE NOTE: Attorneys are reminded that they electronic filing procedures of the U.S. District Court	are required to comply with the for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, a	dmitted to participate in a case pro
1.2	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the	
13		cedures." U.S. Dist. Ct., D. Nev.,
14	- 1	
15	5	Deceased June 8,200;
16	5	Signature)
17	1	,
18	3	Tay C. Ruic
19		Printed or typed Name)
20		
21		
22	FILED RECEIV SERVET N	Entity, if any, on whose
23	COUNCY INCOMES OF A SO	ehalf you are appearing)
24	JUN - 2 2008	
25	5	Address)
26	I The second of the thory	
27	1 L.,	(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

30 MAY 2008 PM 3.T

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 19 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 11/2//2004 HARD ERNST Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 20 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date:8-7-08

Victoria Anne Schniedeberg
Victoria Anne Schniedeberg

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTee

(Title)

Schmied every FAMILY TRUST (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 21 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 8-7-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are TRUSTER acting as:

(Title) Schmiedeberg FAmily TRUST

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 22 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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or to the jurisdiction or venue of the Court except for objections based	d on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	1

Date: 5 28 08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 23 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 5/28/08

Signature

DENDIS L. Scott

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 24 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/15/05

Jack

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

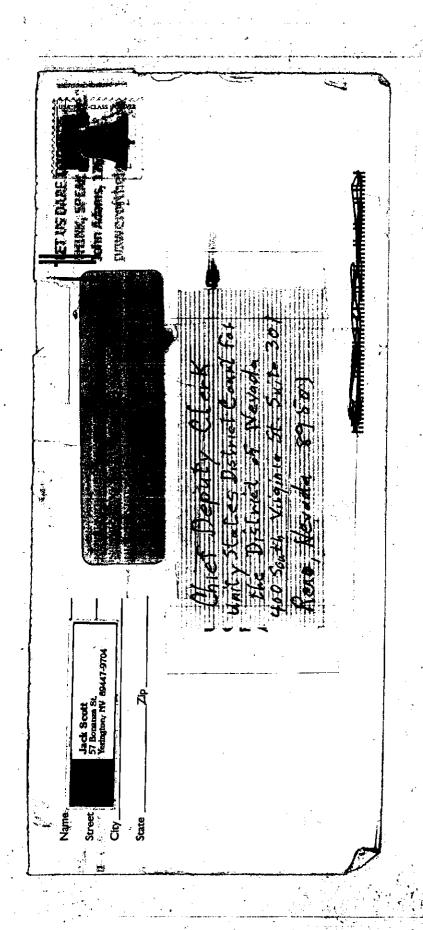
Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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		FILED HECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
1		VOUNDELLY MILLED VI
2	IN THE UNITED STAT	ES DISTRICT COURT
3	FOR THE DISTRIC	CT OF NEVADA CLERK US DISTRICT COURT
4	UNITED STATES OF AMERICA,	BY:DISTRICT OF NEVADA DEPUTY
5	Plaintiff,	
6	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
8	vs.	}
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	.)
10	NOTICE OF APPEARANCE AN	ID INTENT TO PARTICIPATE
11	I hereby enter my appearance in t	this sub-proceeding in this case.
12	·	District Court at the following address and as
13	directed on the Notice In Lieu of Summons:	•
14	Chief Deputy Clerk United States District Court for the	the
15	District of Nevada 400 South Virginia Street, Suite	
16	Reno, Nevada 89501	de la
17		am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the	
19	in the Notice in Lieu of Summons or in the serv	•
20	•	alf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify tha	
22	address, telephone number, facsimile number, a	and e-mail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO 1	PARTICIPATE (service), page 1 of 2

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	1/0/4
12	Jack of Sent A (Signature)
13	(Signature)
14 15	Jack A. Scott
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	
25	
26	
27	



Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 28/of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: Time 1/08

Signature

Corporate

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 29 of 113 U.S. DEPT. OF JUSTICE ENVIRONMENT OF SUMMONS OF MATERIES. DIV.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER. CO

TO: Susan L. Schneider, attorney for the United States of America 2008 NOV 24 AM 11: 16

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 11- 18-08	Signature Signature Signature	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that vo	u are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 30 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-27-00

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff. 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, б SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect In the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 ne in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, facsimile number, and e-mail address: 27 28

Case 3:78-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 32 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the har of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	4
15	Richard J. Lenger
16	(Signature)
17	
18	Richard L. Simpson
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose behalf you are appearing)
23	behan you are appearing)
24	
25	(Address)
26	(Telephone number)
27	

Case 3:73 cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 33 of 113

2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA. 5 Plaintiff,) 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor,) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 ν. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION,

Case 3:73 cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 34 of 113

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

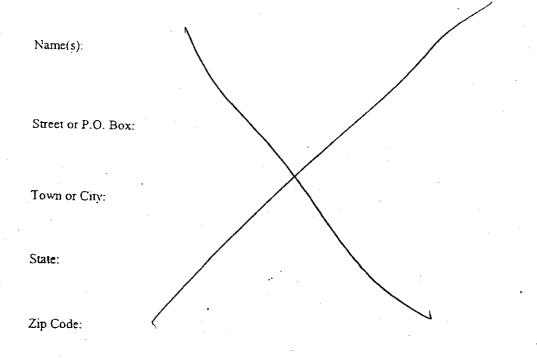
Name(s):

Town or City:

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership

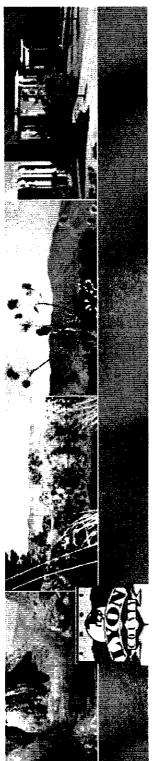


DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 35 of 113

1	
2	
3	3. Attached to or included with this notice is a copy of the (check appropriate
4	box(es)):
5	
6	Deed
7	□ Court Order
8	☐ Other Document.
ė	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
5	this litigation.
-6	+h;
7	Executed this 14 day of June 2006
.ε	\mathcal{O}
9	
0	
1	CHA. Siglaton
2	[signature of counter-defendant]
3	
4	
5	Charles M. Singleton
6	[name of counter-defendant]
7	
3	Residential property- no water rights involve
	DISCLAIMED OF WATER DIGITIO AND

Bdrm/Bath & 00 Stories & 00 Sto otion S Ag Acres .000 W/R Acres .000 Case 3:73-cv-00127-RC



Parcel Detail for Parcel # 004-382-08

Back to Search List

Secured Tax Inquiry

Sales Data

Personal Property

Assessor Home

Description	20 Ag Acres .000 '	Non-dwell Units 0	MH Hookups 0	Wells 1	Septic Tanks 1	Bldg Sq Ft 2,016	Garage Sq Ft 616 A	Easement 5q Ft 0
	Total Acres 1.520	Single-fam Detached 1	Single-fam Attached 0	Multi-fam Units 0	Mobile Homes 0	Total Dwelling Units 1	Improvement Detail	
	Add'l Addresses	Assessor Maps	Legal Description					
Location	Property Location 31 PANAVISTA CIR	Subdivision PANAVISTA EST Lot 30 Block	Property Name					

urrent Land Use Code 200 Code Table	Zoning RR1	Re-appraisal Group 3 Re-apprais	Orig Constr Year 1999 Weighte	
Curren		Re		
	Current Land Use Code 200 Code Table		° _	Code

		Ownership History	Document History			
Ownership	Assessed Owner Name ROSE M	Mailing Address 31 PANAVISTA CIR	TERRING FOR, INV 88447-0000	SINGLETON, CHARLES M & Legal Owner Name ROSE M	Vesting Doc#, Date 267957 10/31/01 Book/Page /	Map Document #s

Case 3:73 cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 37 of 113

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2		· · · · · · · · · · · · · · · · · · ·
3	IN THE UNITED STATES DISTRICT COURT	
4	FOR THE DIST	RICT OF NEVADA
5	UNITED STATES OF AMERICA,)
6	Plaintiff,) In Equity No. C-125-ECR
7	WALKER RIVER PAIUTE TRIBE,) Subfile No. C-125-B
8	Plaintiff-Intervenor,	THE PARTY OF THE P
9	v.	RELATED INFORMATION AND DOCUMENTATION SUPPORTING
11	WALKER RIVER IRRIGATION DISTRICT,	DISCLAIMER
12	a corporation, et al.,	
13) Defendants.)	
14		
15	There	
16	The undersigned counter-defendant in the above action hereby notifies the Court and the	
17		y on whose behalf the undersigned is acting) has
18	no interest in any water right within the categor	
.9	Management Order (Apr. 18, 2000) and, theref	ore, disclaims all interest in this action.
0	This disclaimer and notice shall be sent to	o the following two persons:
1	Linda Lea Sharer. Chief Deputy	Clerk
2	United States District Court for t 400 South Virginia Street, Suite	he District of Nevada 301
3	Reno, NV 89501	
4	And	
5	Susan L. Schneider	
6	United States Department of Justice P.O. Box 756	
7	Littleton, CO 80160	
8	In addition, because the undersigned sold	or otherwise conveyed ownership of all of the
	DISCLAIMER OF WATER RIGHTS AND NOTICE	OF PELATED THEODY MICH

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 38 of 113

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. 6 ownership: 7 Name(s): 8 9 Street or P.O. Box: 10 11 Town or City: 12 13 State: 14 15 Zip Code: 16 The name and address of each person or entity who acquired ownership 17 18 Name(s): 19 20 21 Street or P.O. Box-22 23 Town or City: 24 25 State: 26 27 Zip Code: 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 39 of 113 1 2 Attached to or included with this notice is a copy of the (check appropriate 3. 3 box(es)): 4 5 Deed 6 Court Order 7 Other Document. 8 9 by which the change in ownership was accomplished. 10 The undersigned acknowledges that any person or entity who files a Disclaimer 4. 11 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, 12 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, 13 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of 14 this litigation. - 5 16 Executed this 14 day of June 200 6 18 19 20 21 22 23 24

ROSE SINGLETON
[name of counter-defendant]

Residential property only-nowater rights

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

25

26

27

28

Case 3:73-cv-00127-

Bdrm/Bath 32:00 Stories 60 DO Code Table Code Table Code Table Code Table Code Table Code Table Re-appraisal Year 2006 Weighted Year 8 W/R Acres Finished 0 Attch/Detch I

Assessor Home

Personal Property

Secured Tax Inquiry

Back to Search List

Ag Acres .000 Improvements Description Total Acres 1.520

Non-dwell Units 0 MH Hookups 0 Single-fam Detached 1

Legal Description

Subdivision PANAVISTA EST Lot 30 Block

Property Name

Add'l Addresses Assessor Maps

Location

Property Location 31 PANAVISTA CIR

Town MASON VALLEY

Single-fam Attached 0 Multi-fam Units 0 Mobile Homes 0 Total Dwelling Units 1

Bldg Sq Ft 2,016

Septic Tanks 1

Wells 1

Improvement Detail

Garage Sq Ft 616 Basement Sq Ft 0

Appraisal Classifications

40 of 1

Ownership History Document History

YERINGTON, NV 89447-0000

Assessed Owner Name ROSE M

Mailing Address 31 PANAVISTA CIR

Ownership

Vesting Doc#, Date 267957 10/31/01 Book/Page

Map Document #s

Legal Owner Name ROSE M

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=438208

Code Table Orig Constr Year 1999 Zoning RR1 Current Land Use Code 200 Re-appraisal Group 3

Sales Data

Parcel Detail for Parcel # 004-382-08

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 41 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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•	Enom single	
Date:	Signature 0 /	
	<u>Erin M. Singley</u>	
	Printed/Typed Name	•
	If you are acting on behalf of any entity, identify the	at you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 42 of 113

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Date: 06/10/08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

mith Valley Hall

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 43 of 113

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Date: 6 - 8-08

Richard

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Sea, Too Sease of

(Title)

ith Valley Scales Inc

(Corporate, Trust, Partnership or other entity)

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Case 3:78-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 45 of 113

- 11	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
ا و	••
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the har of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	Electronic I ming I roccution (101. 1148. 21) 2000) at the
15	Richard B. Muti
1.6	(Signature)
17	
18	Richard B. Nuti
19	(Printed or typed Name)
20	
21	Smith Valley Scales Inc
22	(Entity, if any, on whose
23	behalf you are appearing)
24	P.O. Box 63 Wellington, NV 89444
25	(Address)
26	775-465-2441
27	(Telephone number)

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 46 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I	(or the entity on who	ose behalf I am acti	ng) will retain all	l defenses or obje	ections to the lawsuit
or to the juri	sdiction or venue of	the Court except for	or objections base	ed on a defect in	the Notice in Lieu of
	r in the service of the				

Date: 1-29-8

__FXUMU

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

		_
1		
2		TES DISTRICT COURT RICT OF NEVADA
3	UNITED STATES OF AMERICA,	,
4	Plaintiff,	\(\)
5	, in the second)
6	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125)
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
8	vs.	(
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	}
10	NOTICE OF APPEARANCE A	ND INTENT TO PARTICIPATE
11		
12		this sub-proceeding in this case.
13	2. I am filing this document with t	he District Court at the following address:
	Chief Deputy Clerk United States District Court for	the
14	District of Nevada	
15	400 South Virginia Street, Suite Reno, Nevada 89501	301
16	3. In the envelope provided for ret	urn of my Waiver of Service of Notice in Lieu o
17	• •	•
18	Summons, I am mailing a copy of this documen	it to:
19	Susan L. Schneider Attorney for the United States o	f America
20	United States Department of Justice Environment & Natural Resources Division	
	P.O. Box 756 Littleton, Colorado 80160	
21	, ,	
22	4. I (or the entity on whose behalf)	am acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of	the court except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I	am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address	
27	elephone number, facsimile number, and e-ma	il address:
	r · · · · · · · · · · · · · · · · · · ·	

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 48 of 113 Attorney: 1 2 Address: . 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 es Snegder 15 16 (Signature) 17 18 19 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address)

(Telephone number)

26

27

28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 49 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsui	t
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of	` \f
Suramons or in the service of the Notice in Lieu of Summons.	•

Date: 8-29-08

JUM SI

Printed/Typed Name /

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA,)
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125
6		· ·
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	t II i dan a dan a da d	
12	1. I hereby enter my appearance in this sub	
13	2. I am filing this document with the Distri	ict Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
18	Summons, I am mailing a copy of this document to:	
	Susan L. Schneider	20
19	Attorney for the United States of Americ United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756	
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below, along with his or her mailing address	
27	elephone number, facsimile number, and e-mail address:	
28		
	NOTE OF ADDITIONAL AND TARREST TO DADIT	rarnime nago 1 of 2

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 51 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Ain Angle
16	(Signature)
17	
18	Jim Snyder
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	
25	(Address)
26	(Telephone number)
27	

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U.S. DEPT. OF JUSTICE ENY. & NAT. RES. DIV. DEMYER, CO

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 DEC -TO: AM StradL. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

, 1	Finder Sommers	
Date: $11/25/08$	Signature LINDA Soin MEV25	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 535 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Simmons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-123, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

D. 4/05-100-0	Illuchael C Somme	
Date: 11/25/2008	Signature Michael C Sommes	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>Aug 7-2008</u>
Address
15 NY JO LN

ESTATE OF DONA D SPAGNOL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: HER HUSBAND

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: MAY 29 2008

8ignature

JOHN H

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

ŚPAGNOL

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS U.S. DEPT. OF JUSTICE ENV. & NAT. RES. DIV.

DENVER, CO

Susan L. Schneider, attorney for the United States of America TO:

2008 DEC -8 PM 12: 51

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/5/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE of

(Title)

SPRING VALLEY TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 57 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Robert H Stohn Trustee
Date: <u> </u>	Signature
	LERDY H STURKE + LOIS & STORKE FAMILY TRUST
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: of
	(Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Casea3e7337	₩-00122F9RB8WV@©uDertUPAentF99	#118/29/129/31/08/1296 58 of 113	
y ₁		RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD	
2	IN THE UNITED STATES I FOR THE DISTRICT (DISTRICT COURT OF NEVADA MAY 2 9 0000	
3 4	JNITED STATES OF AMERICA, Plaintiff,	TRUCO TOURTRICT COURT ADAVENTO TO TOUR TOUR TOUR TOUR TOUR TOUR TOUR	
5	WALKER RIVER PAIUTE TRIBE,	N EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this su 	ab-proceeding in this case.	
12	2. I am filing this document with the District Court at the following address:		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301		
15 16	Reno, Nevada 89501		
17	7 		
Summons, I am mailing a copy of this document to:			
19	Susan L. Schneider		
20	II Description District Description		
21	Littleton, Colorado 80160		
22	H.	cting) will retain all defenses or objections	
23	o the lawsuit or to the jurisdiction or venue of the co		
24			
25	l l	cting) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney belo	ow, along with his or her mailing address,	
27	elephone number, facsimile number, and e-mail add	ress:	
28			
	NOTICE OF APPEARANCE AND INTENT TO PAR	RTICIPATE, page 1 of 2	

Case 3:7373700001727478884W@@upertul?11ent 51911669129931/089230f3 59 of 113

- 11	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	to the ber of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the Office States and its agonitors, shall be in the form prescribed by the
13	register as Filing Users of the System. Registration shart be in the Form per Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	Electronic Filing Procedures (1ev. Aug. 24, 2000) at 1.0.
15	Robert HAtohe Trustee
16	(Signature)
17	LEROY H STORKE
18	FAMILY TRUST
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	P.O. BOX 1103 YERINGTON - NV. 89447
25	(Address)
26	(775) 463.4092 (Telephone number)
27	(1 elephone nameer)

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PENO, NV. 89501

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 61 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit

or to the jurisdiction or venue of th	e Court except for objections based on a defect in the Notice is	n Lieu of
Summons or in the service of the N	Notice in Lieu of Summons.	.i Dica oi
Date: 8 /1 / /08	Jan / Sulto	
Date: 6 /1 / 10 0	Signature ames 7 SUTTOT	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	t vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 62 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses	or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a de-	fect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	

Date: 8/11/08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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_		OOUNDED THE COMME	
1	IN THE UNITED STATES DIS	TRICT COURTAY 7 2008	
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA CLESK US DISTRICT COURT	
3	UNITED STATES OF AMERICA,	BY:	
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
6 1	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.)	
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	·)	
10	NOTICE OF APPEARANCE AND INTI	ENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this sub	-proceeding in this case.	
12	2 Lam filing this document with the District Court at the following address and as		
13	directed on the Notice In Lieu of Summons: Chief Deputy Clerk United States District Court for the District of Nevada		
14 15			
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
17	3. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections	
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
19	in the Notice in Lieu of Summons or in the service of		
20	4. If I (or the entity on whose behalf I as		
21	represent me in these proceedings, I identify that attorn	ey below, along with his or her mailing	
22	address, telephone number, facsimile number, and e-re	ail address:	
23			
24	Attorney:		
25			
26	Address:		
27			
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2	

Case 3: 73 78 v 000127 FRERAW GC Procliment 5 File 105/07/29/31/08 Page 64 of 113

- 11	
1.	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	the bor of this court, admitted to participate in a case pro
7	"Attorneys who are admitted to the bar of this court, admitted to participate the united states and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
8	the Clerk of the Court and by these Electronic Filing Procedures. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at l.C.
9 10	
11	
12	Priscilla J. Momfron (Signature)
13	(Signature)
14	
15	Priscibathompson (Printed or typed Name)
16	
17	
18	(Entity, if any, on whose
19	behalf you are appearing)
20	294 Sunset Hills Dr. Verington New 89447
21	(Address)
22	775 - 463 - 3059
23	(Telephone number)
24	
25	
26	
2.7	
28	

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 65 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 5-30-2008

Signature Laura M. Thrailkil

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:78-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 66 of 113

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	JNITED STATES OF AMERICA,)	
4	Plaintiff,)	
5	WALKER RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,)) SUBFILE NO. C-125-B	
7	VS.		
8	WALKER RIVER IRRIGATION DISTRIC) C,)	
c)	corporation, et al.,		
10	NOTICE OF APPEARANCE	AND INTENT TO PARTICIPATE	
11	 I hereby enter my appearance 	in this sub-proceeding in this case.	
12			
13	Chief Deputy Clerk	-	
14	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
15			
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu o		
17	ji		
18			
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	elephone number, facsimile number, and e-mail address:		
28			
	NOTICE OF APPEARANCE AND INTENT	TO PARTICIPATE, page 1 of 2	

Case 3:7B-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 67 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 68 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-19-08

Signature

Joy M TIBBALS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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•. •.		FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD	
		COUNTRY THE COLUMN	
1		AUG 2 5 2008	
2	IN THE UNITED STATES DI FOR THE DISTRICT O	I NEVADA	
3	UNITED STATES OF AMERICA.	CLERK US DISTRICT COURT DISTRICT OF NEVADA BY: DEPUTY	
4	Plaintiff,)	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
. 6	Plaintiff-Intervenor,	SUBFILE NO. C-125 B	
7			
8	VS.		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.	
_ #			
13	2. I am filing this document with the District Court at the following address:		
Chief Deputy Clerk United States District Court for the District of Nevada			
15	too C. at 11''-is Creart Suite 301		
In the envelope provided for return of my Waiver of Service of Notice in Lieu		ny Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:		
18	Sugan I Schneider		
19	Attorney for the United States of Amen		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
4. I (or the entity on whose behalf I am acting) will retain all defenses or o			
2:3	I.		
24			
25	If I (or the entity on whose behalf I am acti		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2	

Case 372 4 400 127 FREMW GC TO BUT HIP 18 17 12 1/3 1/08 Page 70 of 113

	11	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	0 000
8		Joy m Jellall
9		(Signature)
10		
11		Joy m TIBBALS
12		(Printed or typed Name)
13		
14		(E-site if any anythere
15		(Entity, if any, on whose behalf you are appearing)
16		
17		(Address)
18		(Address)
19		(Telephone number)
20		
21		
22		
23		

Chief Deputy Clerk United States District Court for the District of Nevada

400 South Virginia Street, Suite 301 Reno, Nevada 89501

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 72 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/9/01

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

Cornerate Trust Partnership or other anti-

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 73 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Cora Toure	
Date: 9/12/08	Signature	
•	CORA TOWE	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

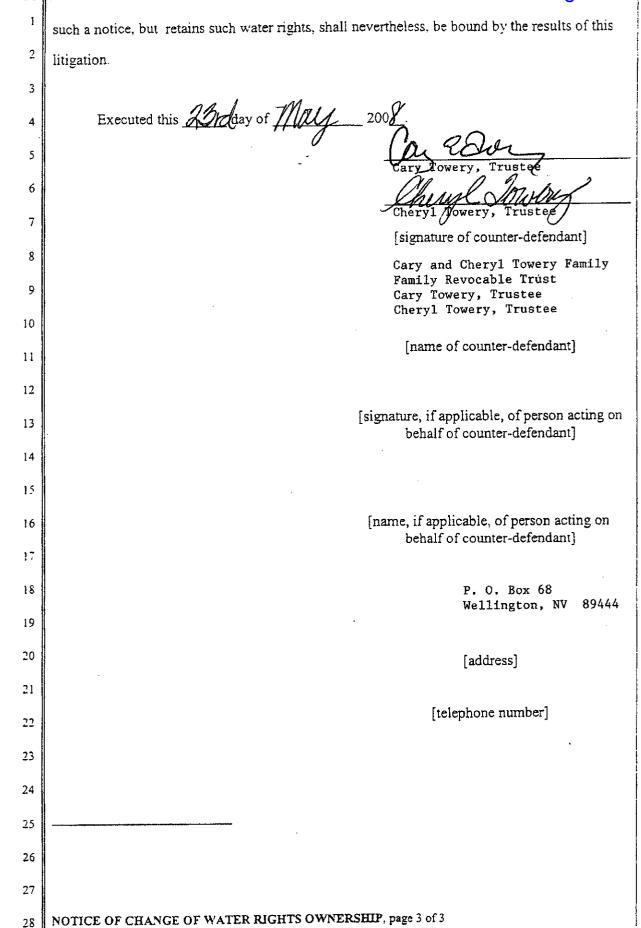
An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 2 3 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE DISTRICT OF NEVADA 7 UNITED STATES OF AMERICA. 8 Plaintiff. In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 v. 12 WALKER RIVER IRRIGATION DISTRICT. 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 22 1. The name and address of the party or parties who sold or otherwise conveyed ownership: Cary Towery and Cheryl Towery, Trustees of the Cary and Cheryl Towery Family Revocable Trust 24 Name(s) 25 P. O. Box 68 26 Street or P.O. Box 27 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

Case & 3:00-000127-ERREAW GOOD CONTROL 511-616-003120081/089-Page 75 of 113

1		Well	ington	NV	89444	
2		То	wn or City	State	ZipCode	
3	2.	The name ar	d address of e	ach person or	entity who acquired	ownership
4		CA	TS INVESTME	NTS, LLC		
5			P. 0	Name(s) Box 68		
6			S	treet or P.O. Box		
7			lington vn or City	NV State	89444 ZipCode	
8						
9	3.	Attached to o	or included wi	th this notice	is a copy of the (check	k appropriate
10	box(es)):					
11		₩	Deed			
		0	Court Order			
12		·	Other Docume			
13	by which the	change in own	ŕ			
14	4.	_		_	person or entity who	
15		•			ultimately responsible	
16	of this filing.	Consequently	, the undersign	ned acknowle	dges that any person o	or entity who files
<u>, -</u>			•			
18	#.j.					
19						
	**	This n	ouce shall be s	ent to the follo	wing two persons:	:
20		Linda Lea Sha	rer, Chief Dept	ity Clerk		
21		400 South Vir	District Court f ginia Street, Su		oi Nevada	
22		Reno, NV 895	01		•	į
23		<u>And</u>		-		\$
24		Susan L. Schn United States	eider Department of l	Justice		
25		P.O. Box 756 Littleton, CO	·			
26		Limition, CO				
						, pp. 1
27						
28 I	NOTICE OF C	HANGE OF WA	TER RIGHTS	UWNERSHIP,	page 2 of 3	1

Case 3.163-13/c00127EBRRAW Goc Decument 5.16ibrol 3120/081/089 Page 76 of 113



*** THIS IS AN UNOFFICIAL COPY ***

RECORDING REQUESTED BY AND MAIL TO:

Cary Towery
P.O. Box 68
Wellington, NV 89444
APN: 10-351-51

DOC # 422923
03/24/2008 00 23 pm
Official Record
Requested By
HICHBEL ROME
Lyon County - NV
Hary C Hilligan - Recorder

FRR \$16 00 RPTT



RPTT#7

GRADA BARGAIN, SALE DEED

THIS INDENTORE made the 21 day of March, Two Thousand Right (2008), for good and valuable consideration, the receipt of which is hereby acknowledged Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHEEKL TOWERY FAMILY REVOCABLE FRANTOR), TRUST, u.t.d. 10/26/06 (hereinafte bargains and sells to CATS INVESTMENTS, LLC, a Nevada limited liability company (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor 10-351-51, commonly known as 99 Lower Colony Road, Welkinston, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 395245, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

*** THIS IS AN UNOFFICIAL COPY ***

03/24/2008

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 21 day of March, 2008.

GRANTORS:

CARY TOWERY, Trustee Cary and Cheryl Towery Family Revocable Trust u.t.d. 10/2

CHERYL TOWERY, Trustee Cary and Cheryl Towery Family Revocable Trust

u.t.d. 10/26/06

NOWLEDGEMENT

STATE OF NEVADA

COUNTY OF DOUGLAS)

On March 2, 2008 Defore me, the undersigned, a Notary Public in and for said County of State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and officia

SONYA M. KOENIG NOTARY PUBLIC STATE OF NEVADA toph Recorded in Douglas County Hy Appl Expires Jenuary 31, 2012 No OC-60331-5

Dor

*** THIS IS AN UNOFFICIAL COPY ***

422923

03/24/2008 003 of 3

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 Bast, M.D.B. M.D. Lyon County, Nevada and more particularly described as follows:

Commencing at the center one quarter of Section 34, Township 11 North, Range 23 East,

M.D.B.&M; thence N9"

"Vea distance of 2, 488 12 feet (tie from Record Map No. 146629) to a

"pipe with plug stamped H. Siss which is the TRUE POINT OF BEGINNING; thence

S88°40'35"B a distance of 220 of feet to a %" pipe with plug stamped PLS 3519; thence S88°57'20"E

a distance of 373 83 feet to a % pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of

88.48 feet to a %" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of 85 82 feet to a

%" pipe with plug stamped PLS 3519; thence S88°07'35"B a distance of 446.03 feet to a %" pipe with

plug stamped PLS 3519; thence S85°48'38"B and plug stamped PLS 3519; thence

N00°53'36"W along said west line a distance of 13.21 feet to a %" pipe with plug stamped RLS

4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S75°48'03"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S75°48'03"W a distance of 87.13 feet to a 5/8 polar with cap stamped

PLS 9393; thence S61°43'30"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 80 of 113

RECORDING REQUESTED BY AND MAIL TO:

RPT +17 Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 429279

07/23/2008

12 45 PM

Official Record

Requested By
ROWE & HALES LLP

Lyon County - NV
Mary C Milligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RPTT



GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the _/B day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, (hereinafter GRANTORS) hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY AND CHERYL TOWERY FAMILY REVOCABLE TRUST, dated: October 26, 2006 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 81 of 113

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this <u>18</u> day of July, 2008.

GRANTORS:

ARY TOWERY

CHERYL TOWERY

<u>A C K N O W L E D G E M E N T</u>

STATE OF NEVADA

88.

COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT
NOTARY PUBLIC
STATE OF NEVADA
Appt Recorded in Lyon County
My Appt. Expires January 31, 2012
No. 95-0980-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a %" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/4" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519; theace S88°07'40"E a distance of 85.82 feet to a %" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.93 feet to a %" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/2" pipe with plug stamped PLS 3519; thence N00°53'36"W along said west line a distance of 151.32 feet to a "" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No 244261

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 83 of 113 DOC # 429277

APN 1035151 RECORDING REQUESTED BY AND MAIL TO: 4 MAIL TAX STATEMENT TO,

Cary Towery P.O. Box 68 Wellington, NV 89444 07/23/2008 12 43 PM Official Record

Requested By ROWE & HALES LLP

Lyon County - NV
Mary C Milligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RPTT



RPTT: #7

GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 16 day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, husband and wife as joint tenants (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 18 day of July, 2008.

GRANTORS:

ARY TOWERY, Trustee

Cary & Cheryl Towery Family

Revocable Trust u.t.d. 10/26/06

HERYL TOWNRY, Trustee

Cary & Cheryl Towery Family Revocable Trust u.t.d. 10/26/06

ACKNOWLEDGEMENT

STATE OF NEVADA

SS.

COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT
NOTARY PUBLIC
STATE OF NEVADA
Appt Recorded in Lyon County
Hy Appt Expires January 31, 2012
No 96-0980-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519, thence S88°07'40"E a distance of 85.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.03 feet to a 34" pipe with plug stamped PLS 3519; thence S85°48'38"R a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/4" pape with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a %" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19", an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 86 of 113

APN:1035[5]
RECORDING REQUESTED BY AND
MAIL TO: Y MAIL TAX STATEMENT
TO:

Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 429276

07/23/2008 12 42 PM

Official Record

Requested By
ROWE & HALES LLP

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee \$16 00



PD. Kox 2080 Minden NU 89423

Recorded By AT

RPTT:#7

GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 18 day of July. Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CATS INVESTMENTS, LLC, a Nevada Limited Liability Company (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 15 day of July, 2008.

GRANTORS:

TOWERY, MANAGER CATS INVESTMENTS, LLC CATS INVESTMENTS, LIC

ACKNOWLEDGEMENT

STATE OF NEVADA 88. COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names

are subscribed to the within instrument and acknowledged that they

executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT NOTARY PUBLIC STATE OF NEVADA ppt Recorded in Lyon County Appt. Expires January 31, 2012 No 95-0980-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a "" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 1/2" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of \$5.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88"09'35"B a distance of 446.03 feet to a 1/4" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 1/2" pipe with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a 1/4" pipe with plug stamped RLS 4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045: thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393: thence along a curve to the left, having a radial bearing of S15°04'19"B, with a radius of 432.36 feet. through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point, thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 89 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/27/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Their attorney

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 90 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,)
4	Plaintiff,
5 ·	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6) Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	
12	1. I hereby enter my appearance in this sub-proceeding in this case.
13	 I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15	District of Nevada 400 South Virginia Street, Suite 301
16	Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney: Kurt Bonds
25	Alverson, Taylor, Mortensen + Sanders
26	Address: 7401 W. Charleston Blud.
27	Las Vegas, NV 89117
- 1	

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 91 of 113

1	Phone Number: (702) 384-7000
2	Fax Number: (702) 385 - 7000
3	E-mail Address: Kbonds @ alverson tay Wr. com
4	
	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
5	electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	Tion, Elouiono I ming I rootatios (sovi range a 1, moot) and to
10	
11	
12	258/
13	(Signature)
14	
15	Kurt Bonds
16	(Printed or typed Name)
17	Tri-State Motor Transit(o.
	James Wingfield
18	(Entity, if any, on whose
19	behalf you are appearing)
20	Control you are appearing)
21	PO BOX 113
22	(Address) Jophn, MO 64802
23	800-238-8768
[(Telephone number)
24	
25	
i i	

3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 92 of 113 U.S. DEPT. OF ASTION ENV. & HAT. RES. DIV.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 10 PM 1: 10
Susan L. Schneider, attorney for the United States of America

DENVER, CO

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-2-08 Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

This was very confusing.

I found this
paper work to be
very confusing.
No phone# to contact
Someone for was
clarification was
clarification the
included in the
summons packet.
Summons packet.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Rage 1 DEHVER, CO IN THE UNITED STATES DISTRICT COUNTNOY 10 PM 1: 10 2 FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff, 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 **VALKER RIVER IRRIGATION DISTRICT,** 9 corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 lummons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice **Environment & Natural Resources Division** 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 5. me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 95 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
.0	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
.1	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
.2	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
.3	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
.4	
.5	Louil. Vacare
-6	(Signature)
.7·	
.8	Lori C. Vaccaro
.9	(Printed or typed Name)
0.	
1	
2	(Entity, if any, on whose
:3	behalf you are appearing)
4	21 Simpson Trail- Welling
5	(Address) NV 8946
6	775-465-2780 (Telephone number)
7	(Totophone numer)

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 96 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/19/08

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 97 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	<u>}</u>
8	VS.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	 I am filing this document with the District Court at the following address and as
13	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15 16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 98 of 113

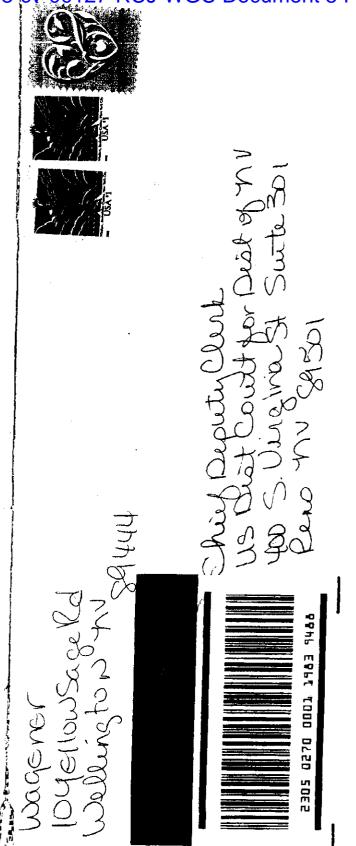
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8 9	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	
12	
13	(Signature)
14	1 Atherne Maglia
15	LATHERINE VAUGHAM
16	(Printed or typed Name)
17	
18	The state of the s
19	(Entity, if any, on whose behalf you are appearing)
20	
21	(4.11)
22	(Address)
23	(Telephone number)
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28	

Caso 3:	73-cv-00127-ECR-RAM Document 1428 Filed	00/40/2009
Case 3:73	cv-00127-RCJ-WGC Document 5 Fil	led 12/31/06 Fage 99.05.113
		ENTERED COUNSELPARTIES OF RECORD
1		SOUNDED FAIRLES OF TECONO
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA 1 9 2008
3	UNITED STATES OF AMERICA,	CLERK US DISTRICT COURT
4	Plaintiff,	DISTRICT OF NEVADA BY:DEPUTY
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125 - B
7	vs.	
8	WALKER RIVER IRRIGATION DISTRICT,	
9	a corporation, et al.,	(
10	NOTICE OF APPEARANCE AND INTE	ENT TO PARTICIPATE
11	 I hereby enter my appearance in this sub- 	proceeding in this case
12		
13	 I am filing this document with the Distric directed on the Notice In Lieu of Summons: 	t Court at the following address and as
14	Chief Deputy Clerk	
15	United States District Court for the District of Nevada	
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am acting	g) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the	he Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am	acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorne	ey below, along with his or her mailing
22	address, telephone number, facsimile number, and e-ma	ail address:
23		
24	Attorney:	
25		
26	Address:	·
27		
28	· .	
	NOTICE OF APPEARANCE AND INTENT TO PARTICI	PATE (service), page 1 of 2

Case 3:73 cv-00127-ECR-RAM Document 1428 Filed 09/19/2008 Page 2 of 3 Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 100 of 113

3	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	
6	electronic filing procedures of the U.S. District Court for District of Nevada.
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
8	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
9	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
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11	\mathcal{M} $1/1/0$
12	(Harkyayaan
13	(Signature) (Signature)
14	mark Wagener
15	Tarbaralvagener
16	(Printed or typed Name)
17	
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19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
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Case 3:73-cv-00127-ECR-RAM Document 1428 Filed 09/19/2008 Page 3 of 3
Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/31/08 Page 101 of 113



discliner of water rights and notice of related information, page 1 of 4

1	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4	additional information:
5	The name and address of the party or parties who sold or otherwise conveyed
, б	ownership:
7	Name(s):
3	
9	Street or P.O. Box:
10	
11	Town or City.
12	TOWN OF CRY
13	State:
14	
15	Zip Code:
16	2. The name and address of each person or entity who acquired ownership
17 16	
19	Name(s): water rights, nor do we how. We merely have an option to
20	on the to
21	We merely have an office
22	Street or P.O. Box: purchase water nghis in
23	the juture, but it has not
24	bein exercised. files injust
25	us where we need to be
26	State:
7	Respectfully Swinter Sean Write
8:	Zip Code: Andrea Worke
	775 463 - 1065 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

1	
2	3. Attached to or included with this notice is a copy of the (check appropriate
3	
4	box(es)):
5	
6	□ Deed
7	☐ Court Order
8	Other Document.
ġ,	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
.5	this litigation.
.6)
7	Executed this 12 day of March 200 8.
. E	
9.	Swarte Som winter
O	Swall A A De Mala
3	I sold to miderate Correct
2	[signature of counter-defendant]
3	SEAN & Andrew Winte
4	724 N. esegen St.
6	[name of counter-defendant]
7	
8	



13 MAR 2008 PM 1 L

RENO NV.895

THINK, SPEAK TO MEAD, John Adams, 17

Hoo 5. Virginia ST. Swite 301

Park = 78 8950 | Middle Mid

Case 3:73-cv-00127-RC

Assessor Home

Personal Property

Secured Tax Inquiry

Sales Data

Back to Search List

Parcel Detail for Parcel # 014-212-02

Add'l Addresses Location Property Location 20 PENROSE LN Town MASON VALLEY Subdivision Lot Block Property Name

Legal Description Assessor Maps

Bdrm/Bath 2/1.50 Stories 130

Non-dwell Units 0

mprovements

MH Hookups 0

Single-fam Attached 0

Single-fam Detached

Wells 1

Attch/Detch

Basement Sq Ft 0

Garage Sq Ft 0

Bldg Sq Ft 1,178

Septic Tanks 1

Mobile Homes 0 Multi-fam Units 0

Total Dwelling Units 1

Improvement Detail

W/R Acres 600

Ag Acres .000

Total Acres 4.190

Description

Code Table Appraisal Classifications Current Land Use Code 200

Zoning RR1

Re-appraisal Group 3

Orig Constr Year 1950

tions
tions

Sode Table

Code Table

Re-appraisal Year 2006

Weighted Year 8

Weighted Year 8

Use Table 109

Weighted Year 8

Document History

Ownership History

Mailing Address 724 N OREGON ST YERINGTON, NV 89447-0000

Assessed Owner Name WAITE, SEAN & ANDREA

Ownership

Vesting Doc#, Date 405247 04/26/07 Book/Page Legal Owner Name WAITE, SEAN & ANDREA Map Document #s

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=1421202

Valuation	Prior Year	2007-08	15,750	9,816	0	0	0	25,566
	Working Year Closed/Reopened Prior Year	Year 2008-09	16,220	10,307	0	0	0	26,527
	Norking Year	2009-10	16,220	10,307	0	0	0	26,527
	>		Land	Improvements	Personal Property	Ag Land	Exemptions	Net Assessed

Case 3.73	Grevolist Field	HECEIVEDHECEIVED
		ENTERED COUNSELPARTIES OF RECORD
1	•	4.4.2200
2	IN THE UNITED STATES DIS	STRICT COURT 4 2008
3	FOR THE DISTRICT OF	CLERK US DISTRICT COURT DISTRICT OF NEVADA
4	UNITED STATES OF AMERICA,	BY:DEPUTY
5	Plaintiff,))
6	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
	vs.	, ,
 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
10	NOTICE OF APPEARANCE AND INTI	ENT TO PARTICIPATE
11		ding in this age
12	1. I hereby enter my appearance in this sub-proceeding in this case. 2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons: Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
13		
14		
15		
16		
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections	
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to	
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing	
22	address, telephone number, facsimile number, and e-mail address:	
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICE	IPATE (service), page 1 of 2

Case 3:73-73-73-700127-FRCS-WG@ 4800 41376nt 5 1918 711 1/2031 / 084 2062 109 of 113

1	Phone Number:	
2	Fax Number:	
3	E-mail Address:	
4		
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.	
6	"A 44	
7 8	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.	
9	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.	
10		
11	Thomas to hard	
12		
13	(Signature)	
14	THOMAS H. WARD TRUSTE. JOYCE WARD TRUSTE.	
15	JOYCE WARD TRUSTE	
16	(Printed or typed Name)	
17		
18	THE WARD FAMILY TRUST	
19	(Entity, if any, on whose behalf you are appearing)	
20	beitair you are appearance.	
21		
22	(Address)	
23	(Telephone number)	
24		
25		
26		
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 2 of 2	

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/5/08

Signature Rosemary F. WEAVER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title)

WILLIAM M WEAVER RESOLUTE TAWST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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U.S. DEPTTOF JUSTICE ENV. & NAT. RES. DIV. WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO

2008 NOV 3 Sustant L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-6-08

Signature

| Length | Brian | Wood |
| Printed/Typed Name
| If you are acting on behalf of any entity, identify that you are acting as: _______ of (Title)

| (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 13 AM 11: 05

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: //-3-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as. ____ (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS CO

2008 DEC -1 PM 12: 01

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons,

Date: 11 - 23 - 08

ignature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

Title)

The Ton Wooldridge Family TRUST

(Corporate, Trust, Partnership or other entity)
Thomas H. Woolder des And Lynn K. Woolder des

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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